

BOARD OF MAYOR AND ALDERMEN

January 16, 2007

7:30 PM

Mayor Guinta called the meeting to order.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Roy, Gatsas, Long, Duval, Osborne, Pinard, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Mayor Guinta recessed the regular meeting to allow the Public Participation session to continue.

Mayor Guinta called the meeting back to order.

Alderman Lopez stated would you please pass this out to the Mayor and Board. It should take a minute. Thank you. I will read the following letter into the record:

Board of Alderman

I would like to inform the full Board of Aldermen and the Mayor, that the Screening Committee for the Finance Officer position has completed its task. As a matter of information, the Committee received seven qualified candidates for our consideration. Of the seven candidates, we selected three individuals to participate in the interview process. At the conclusion of the interview process, thorough background checks were done on each of the candidates. The background checks include financial, criminal, licensure, education, and employment information.

The Screening Committee is recommending William E. Sanders to be the Finance Officer of the City. Mr. Sanders is the outstanding candidate for this very important position. During his tenure at the Manchester School District as well as his former employers, Mr. Sanders demonstrated the highest level of ethics, financial and budget knowledge, interpersonal skills, leadership skills, professionalism, objectiveness, technical and analytical abilities. Mr. Sanders is known by the School District, as well as his former employers, to be a man who has tremendous insight and dedication and always has an unrelenting concern for people.

The Screening Committee recommends appointing Mr. Sanders to be the Finance Officer with a start date of no later than March 31, 2007. Mr. Sanders needs to provide his current employer with the appropriate amount of notice in order for them to replace him. The Committee recommends that Mr. Sanders be hired at salary grade 29, step 8 (\$102,469).

A copy of Mr. Sander's resume is attached to this letter.

Your full support of Mr. Sanders appointment to the position of Finance Director would be greatly appreciated.

Committee members would be happy to respond to any questions you might have regarding this appointment.

s/Michael Lopez
Chair, Board of Aldermen

Alderman Lopez stated as a note there...I don't want to get into any personal type questions...Mrs. Lamberton would guide us in that particular area. I would like to place his name in nomination. Alderman Roy duly seconded the motion.

Alderman Lopez requested a roll call vote. Alderman Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest, Roy, Long, Duval, Osborne, Pinard and O'Neil voted yea. Alderman Gatsas voted nay. The motion carried.

Mr. William Sanders stated thank you very much. I appreciate your confidence and I look forward to working with all of you. I'm very excited about the opportunity. Thank you.

Mayor Guinta stated thank you very much we look forward to working with you, Bill.

CONSENT AGENDA

Mayor Guinta advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Informational – to be Received and Filed

- B.** Manchester Health Department monthly report summary, January 2007.
- C.** Minutes of a meeting of the Mayor's Utility Coordinating Committee held on December 20, 2006.
- D.** Minutes of a meeting of the MTA Commission held on November 28, 2006 and the Financial and Ridership Reports for the month of November 2006.
- F.** Communication from Robert MacKenzie, Director of Planning, advising of a lead paint grant award in the amount of \$1.8 million.

REFERRAL TO COMMITTEES

COMMITTEE ON FINANCE

- H.** Resolution:

“Authorizing the Finance Officer to effect a transfer of Fifty Six Thousand Eight Hundred Dollars (\$56,800) from Contingency to Police.”

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- K.** Recommending that a request by the Parks, Recreation and Cemetery Department to have the Fair License fee waived for the annual fireworks display at Arms Park on Tuesday, July 3, 2007 be approved.
(Unanimous vote.)

COMMITTEE ON JOINT SCHOOL BUILDINGS

- L.** Advising that it has accepted the monthly report for December 2006/January 2007 as submitted by DMJM, and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

- M.** Advising that they have approved Change Order #26, outlined herein, and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

- N.** Advising that they have authorized the expenditure of approximately \$10,800 for the bathroom in the tech room area of Bakersville School.

(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

- O.** Advising that they have approved a request of the Building & Sites Committee to close in the press box at the Chabot/McDonough Field for MCTV.

(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

- P.** Advising that they have approved a request of the Building & Sites Committee that the following estimates of various school projects be paid for out of the School Facilities Improvement Project contingency fund:

- a) Beech Street School lighting project (\$860.00 & \$825.00);
- b) Relocation of Southside Jr. High hallway lockers (\$4,900.00, \$7,900.00 and \$5,400.00);
- c) Demolition of CMV wall to provide new 6’x7’ gymnasium door at Southside Jr. High; and
- d) painting and drywall project at Wilson Street School (\$1,500.00, \$1,800.00 and \$2,700.00)

subject to the review and approval of the City Solicitor and Chief Financial Officer that contingency funds from the Design-Building Project can be used.

(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN PINARD, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED>

A. Report of the AmeriCorps VISTA Program submitted by Dennis Hebert.

Alderman Lopez asked could Mr. Hebert come up, please. Just a couple of questions, Mr. Hebert. On the places that we have VISTA people at could you just tell us how they get to be at these places...is there a waiting list of places or how do other non-profit organizations get to know about this?

Mr. Dennis Hebert, Vista Coordinator, replied any public agency...federal, state or local or any non-profit entity that deals with problems related issues has the ability to have a Vista member placed there. We currently have 22 Vista members serving in City departments and community non-profits throughout the community...we're on our way to 30 or higher. So, there are no restrictions...as long as the test of what the Vista member will be doing will impact poverty in the community and enhance the quality of life for our most needy citizens.

Alderman Lopez stated there are no tax dollars for this program.

Mr. Hebert stated absolutely none. There's no one cent of local taxpayer money in the AmeriCorps VISTA Program...it's all federal funds.

Alderman Lopez asked are you doing any grants or are you just doing this full-time?

Mr. Hebert replied I'm in transition but I'm doing the AmeriCorps VISTA Program full-time...it's become an all encompassing position. Just to be clear the position is an all encompassing position for everything from the actual identifying of the grant opportunity and writing it to administering it, managing it and supervising each individual.

Alderman Lopez stated these individuals...I had some discussion about your location in the Planning Department...how do all these people come to the Planning Department and see you...that doesn't seem like a very good position for you to be in.

Mr. Herbert stated I have to talk to the Parking Manager about the tickets that some of the members have been getting...on \$909/month it's tough to pay parking tickets as a matter of course...we're in a transition period right now trying to identify office space for myself and a Vista leader hopefully with enough room to have Vista member meetings as well and conduct interviews. It's difficult though because it's been hard to identify a City department that has space to offer us and the rent situation also makes it difficult because we have to do our fund raising in order to cover the operational costs for the program. I know that several

people from the Mayor on down have been working very hard to try to help me identify space but right now I'm still physically located in the Planning Department. Bob MacKenzie and his staff have been very gracious in allowing me to continue there during this transition period but the federal government does want to know what our management plan is going to be in the near future.

Alderman Lopez asked are you talking about outside of City Hall or could it be in City Hall?

Mr. Hebert replied I'd take one of the bays at the Highway Department if the Director would allow me. I'd just be happy to have a place.

Alderman Lopez stated I just wanted to bring this to your attention, your Honor...the Archives down in the basement...I don't think anybody's down there and there's room enough down there for two people and if we're not using it.

City Clerk Bernier stated Sally's down there...that space had just been used during the reassessment period by the Assessors...that space is all used up by Sally down there.

Alderman Lopez stated I thought she had a place over at the Rines Center.

City Clerk Bernier stated she has two locations.

Mr. Herbert stated maybe the business community has an extra office and would like to partner with the City.

Alderman O'Neil asked is someone working on the space issue.

Mayor Guinta replied I am. Dennis has been very, very patient I will say. We are trying to work it out. This program has to his credit expanded without impacting the tax rate and the people that have been working for him are performing a wonderful service for the City so we want to make sure that we keep this program in tact. I think it's really an honorable program and it's helping us tremendously.

Alderman Lopez stated as a suggestion maybe we can run off and build office space over at the Police Athletic League...that would be a good place for them.

Mayor Guinta stated we can add that location to the list to see if we can get them situated.

Alderman Lopez moved to receive and file Item A. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

- E.** Communication from Robert MacKenzie, Interim Economic Development Director, providing additional information regarding the Northwest Business Park.

Alderman Forest stated maybe Bob MacKenzie could answer this. As Bob is aware of a lot of us attended that Planning Board meeting about the Master Plan for Northwest or the Hackett Hill Project...there are some punchlist items here and I'm just wondering where we're at on some of them. I noticed it's a receive and file item but a lot of the citizens up there did have some concerns as I did and I was just wondering where we're at at this point.

Mr. Robert MacKenzie, Interim Economic Development Director, stated yes Alderman we have met with the Manchester Housing and Redevelopment Authority. We've gone down through all of the punchlist and are hoping to somehow address all of these issues that were raised.

Alderman Forest asked was this going to be addressed at the Planning Board.

Mr. MacKenzie stated yes. This is addressed...it is the Planning Board that will have to take an action so that's the level we're working to address it at the Planning Board.

Alderman Forest moved to receive and file Item E. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

- G.** Communication from Robert MacKenzie, Director of Planning, advising of a neighborhood strategy meeting scheduled for January 17th at 6:30 PM at the Credit Union Museum regarding revitalization efforts in the Kelley Street area and the larger Rimmon Heights neighborhood.

Alderman Shea stated if I may question Bob MacKenzie. This item has o do with the revitalization effort of the Kelley Street area and the Rimmon Heights neighborhood and I'm all in favor of that...that's not a problem. However, what I would like to ask Bob is when does your particular committee or group plan on utilizing funds for the Wilson Street area. We did tour that and we did tour the area in Ward 5 so I wondered when those particular projects will come on board?

Mr. MacKenzie replied we have found that to really do a good job on these neighborhood plans we have to focus on just one at a time to do a really good job. We will have draft recommendations tomorrow night so that area in terms of the planning part will be wrapping up in the next month. The Hollow along Massabesic Street was probably going to be our next neighborhood although Willow Street is not too far behind. We're actually considering maybe locking those two areas together because they're relatively close and some of their outlying residential areas actually overlap. So, within the next three months we will be focusing more on the Hollow and we maybe working on Wilson Street and then the Piscataquog area, South Main and Second Streets would be after those.

Alderman Shea stated may I just ask...if you don't work simultaneously with the Hollow area what does that mean for the Wilson Street area in terms of timing?

Mr. MacKenzie replied if we didn't do it together it would probably pushed off about six months.

Alderman Shea stated six months from three months is nine months. Thank you. But, it will be considered.

Mr. MacKenzie stated yes it will.

Alderman Smith stated Bob you mentioned some sections of my ward (10)...will that be going on continuously after tomorrow night's meeting simultaneously with Kelley Street.

Mr. MacKenzie stated no that is a much more distinct area...a different area than the Kelley Street area so we're going to have to basically attack that and look at it comprehensively. Again, there's a couple of other neighborhoods before that but we do hope to get through that area within about 12 months.

Alderman Shea moved to received and file Item G. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

- Report of the Committee on Administration/Information Systems:**
I. Recommending that the Board accept the recommendation by City staff to amend Section 38.06(A) of the Code of Ordinances as follows:

Code Section	First Offense	Second Offense	Third Offense
91.64	\$200.00	\$300.00	\$500.00
91.65	\$200.00	\$300.00	\$500.00
91.66	\$200.00	\$300.00	\$500.00
91.67	\$200.00	\$300.00	\$500.00
91.69	\$200.00	\$300.00	\$500.00
91.71	\$200.00	\$300.00	\$500.00
91.73	\$200.00	\$300.00	\$500.00
91.74	\$200.00	\$300.00	\$500.00
91.75	\$200.00	\$300.00	\$500.00
150.023	\$200.00	\$300.00	\$500.00
150.060	\$200.00	\$300.00	\$500.00
150.061	\$200.00	\$300.00	\$500.00
150.062	\$200.00	\$300.00	\$500.00
150.063	\$200.00	\$300.00	\$500.00
150.064	\$200.00	\$300.00	\$500.00

If any penalty set forth in 38.06(A) is not paid within 7 days of the date the citation was issued the penalty shall be twice the amount set forth in 38.06(A) up to a maximum of \$1,000.

The Committee further recommends that it be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote.)

Chairman O'Neil stated there was a second recommendation from the Committee regarding that topic on legislation. I'm not sure it made it to the full Board...we can take it up either under new business or...I think it was intended to be part of the report of the Committee to the full Board. Mr. Normand has a copy of it if this would be the appropriate time to take it up. It had to do with addressing some legislation.

Mayor Guinta stated I would agree it be taken up under Item I.

Alderman Thibault stated I just want to go on record as being a hundred percent in favor of the increases in the ordinances that are being proposed here tonight. In my ward and I'm sure in Ward 10 we have seen a significant change in how the people foresee what's going on over there and I thank NeighborWorks for putting the pressure they did on myself and also on Alderman Smith and others to see that these areas are cleaned up. It is an awful shame for some of these houses that have been there for a long time and to have let them go to this problem. We've got a lot of absentee landlords that just don't pay attention to what goes on in their buildings. This is not something that the good landlords have to worry about, it's the bad landlords that we're going after and we're going to do our best to get there. Thank you.

Alderman Gatsas asked is there somebody from the department here that can answer some questions, please...whoever recommended the fines.

Mr. Max Sink, Deputy Building Commissioner, stated I'll do my best to answer whatever I can.

Mayor Guinta stated if you can first clarify were the increases recommended by your department or by another entity?

Mr. Sink replied they were recommended by a committee that got together...several departments...City Solicitor's, Dale Robinson from Ordinance Violations, Leon and I were there, Matt Normand representing the NET Team and Tim Soucy from Health.

Alderman Gatsas stated Max can you tell me right now who has authorization to write any of these violations up.

Mr. Sink replied my department certainly does, Highway Department I believe has authority to enforce some of the trash ordinance citations and Health Department has Health Department violations...it's a mix.

Alderman Gatsas stated can you tell me to the best of your knowledge before the change in ordinances or the change in offenses...how many violations have ever been issued...ballpark? Anybody from your department ever issue one?

Mr. Sink replied violations/citations...absolutely. I don't have a number for you right now.

Alderman Gatsas asked what was the fine amount that they used?

Mr. Sink replied the first offense was \$100, second offense was \$200 and third was \$300.

Alderman Gatsas asked where are those violation amounts shown by ordinance?

Mr. Sink replied they are in the City ordinances, I believe, Chapter 90.

Alderman Gatsas stated I'm looking at those City ordinances right now and what it makes reference to is 91.76 which is the Penalty for all the ones that are 91.71 and all the ones that we have listed before us...what it says is that according to RSA 47.17 it can be up to \$1,000 and it doesn't say anywhere in these ordinances that it's \$100 or \$200...what it makes reference to in everyone of these ordinances as I read them...it says in 91.71 it says see Penalties...see 91.76 and 91.76 makes reference to 47.17 and 47.17 when you look at it according to the state laws says that not exceeding \$1,000. Now, no where in here do I see where anybody as a City official has put any penalties into place by ordinance...they only make reference to 47.17 until now.

Mr. Sink stated I believe there's a table within the City ordinances that cover specific violations and assign the penalties for the fines to them.

Alderman Gatsas stated I'm looking at the City ordinances and what I'm looking at and I don't know if anybody else can help me...page 96...well, I guess my question then is why does the ordinance in the front make reference to an RSA?

Mayor Guinta stated I believe the RSA is an enabling statute.

Alderman Gatsas stated but nowhere does it make reference to what this schedule is in any of the ordinances that we're looking to change...is that just something that somebody should surmise?

Mr. Sink stated I can't really comment on the structure of the City ordinances. I believe they...

Alderman Gatsas interjected well is there anybody behind me that can?

Deputy City Solicitor Arnold stated as you can see Alderman ordinance Section 38.06(A) lists specific ordinances which have specific figures or penalties for their violation...91 references to ordinances that don't have a specific violation set forth and as has been pointed out it refers to 47.17 because that's an enabling legislation that allows the City to establish a penalty up to \$1,000.

Alderman Gatsas stated so you've got come back to the code enforcement to see it.

Deputy City Solicitor Arnold stated it would certainly be handy if I could...you have the copy I usually use.

Alderman Gatsas stated I guess my question to the Committee is if \$100 hasn't deterred people why do we think \$200 is going to deter them? Why don't we say it's \$1,000 and then we can get somebody's attention.

Mayor Guinta stated I think the recommendation from the Committee was to increase it to \$200, \$300 and \$500...if there's a willingness or an interest on this Board to amend that that would be up to the Board.

Alderman Lopez stated I think the recommendation for a third offense was \$750 in the committee structure and then when it came down to the final structure with the department heads having input these are the numbers they came up with and the committee went along with this. The second offense was \$500 and \$750 and the department heads working with the committee this was the structure they agreed upon.

Alderman O'Neil stated I would agree with what Alderman Lopez just stated. The other thing we were cautioned by the former Director of Housing Code and State Representative Tony Simon. If you go too high with the fines they may go right to court over it. So, it was caution to kind of take some middle ground, which this is.

Alderman Roy stated being one of those Board members that makes his living in real estate I find that there's a balance between representing land owners and property owner rights and representing the City. This is something that I support because it's a middle ground as well as it's a citation and if I could read one passage from our ordinances Alderman Gatsas asked a question who can write one of these citations...the way it's written is the "heads of the Fire, Building, Health and Housing Code Departments and the City Clerk's office and/or employees designated by the heads of those departments are hereby authorized to issue such citations." That allows the Deputy Director of Building to designate whoever he wants in his department to go ahead and issue citations. This is one tool out of a full toolbox that we need to go forward to correct this problem. We have the problem in every ward. I represent Ward 1 we've got abandoned boarded up houses, we've got as Mr. Duckoff said earlier cars in parked in front yards and side yards. We have code violations throughout this City. In

some wards they're definitely worse than others but this is just one tool of many to go forward and start improving the process so I'd like to see these go forward and I'd like to see the employees charged with this out there doing what they've done in some of the other wards in the City.

Alderman DeVries stated to answer specifically why the fines aren't initially at a higher level...we can write the violations up on a daily basis so they can be written up five days in a row or so the Building Commissioner or the department head indicated to us, Leon LaFreniere. The other piece I think the committee didn't get into that we seriously need to look at would be involving our judicial branch. I've had some conversations with Laconia that had also gotten very tough years back on their building code violation issues. I was told that they went directly to the judges that would be prosecuting and indicated that they were getting tough and asked for their involvement and I would recommend that this group first write a letter, first Mayor Guinta I think would suggest that you offer that to our judges and backed up with the signatures of the full Board and that we schedule a meeting with the judges that will be asking them to put more weight behind our cases as they go before the courts so that they don't get lost in the quagmire of civil disputes as well as other backlogged cases. That seems to have worked for Laconia, I think it can work for Manchester. Your Honor, if you need a motion in order to act on that I'd be happy to offer a motion up as soon as we vote on this or within this committee report. Do you need a motion to act on that?

Mayor Guinta replied I wouldn't need a motion for that. It's something we can work on internally and distribute at the next meeting.

Alderman DeVries stated I would appreciate that. Thank you, your Honor.

Alderman Smith stated I serve on that committee and I made the motion because it was halfway in the middle of the stream...recommendation by staff was City Solicitor, Health Department, Building, NET and Police and they unanimously recommended this to us and we took the low road even though there were other requirements and now on January 12th there was a letter sent to the Committee and are trying to propose legislation, they're going to try and refine it and then they'll give it to our state legislators but this is a letter I got the twelfth. So, if we're going to make a motion we have to include the rate increases as well as the proposed state legislation so we can follow up.

Mayor Guinta stated why don't we get the motion on the floor. Before I accept it does the motion include this amendment from Alderman Smith.

Alderman Smith stated the proposed legislation.

Alderman O'Neil stated in fairness I'm not sure every member of the Board saw it. It was suppose to go out but there was a little confusion on it and it only went out to the committee

members. The intent was to bring it to the full Board tonight. Should we act on the fines first and then maybe just read in the letter for the record, it's not that long...if Alderman Smith would be okay with that.

Mayor Guinta stated that's a better idea. If you wouldn't mind separating it out.

Alderman Lopez moved to accept, received and adopt the first report of the Committee on Administration/Information Systems. Alderman Smith duly seconded the motion.

Alderman Gatsas asked is there anyway we're going to get some sort of identification from the various departments on how many violations have been given out the previous year?

Mr. Sink replied we're working on compiling that information now. It's not immediately available.

Alderman Gatsas stated it has to be somewhat available because you've got to use it in your revenues.

Mr. Sink stated we'll get that information for you.

Alderman Gatsas stated I would assume that the departments should be able to tell me pretty quickly in the drop of a hat from their revenue number that they gave out the citations.

Mr. Sink stated I'm not sure if the citations are separated from the revenue or if they just go into the general fund.

Alderman Gatsas stated in your department you have a revenue that you show during the budget process.

Mr. Sink stated citations I don't think are included in that number...that's permit fees.

Mr. Randy Sherman, Interim Finance Officer, stated I can find some of it under ordinance violations but there's also some under a couple of the other departments.

Alderman Gatsas stated I'm just looking for a comparison because if we're instituting this then somebody should be writing more violations if there's a problem and I guess if somebody says to me there are only 100 violations written last year and then I say how many more are we going to write to correct this problem.

Mr. Sink stated as many as it takes I'd say.

Alderman Osborne asked are we taking this as a whole or are we taking this in separate voting?

Mayor Guinta replied we're taking Item I first and then I'll go back to Alderman Smith for a secondary motion.

Alderman Osborne stated we're talking about legislation, we're talking about backup from the courts and talking to the judges...

Mayor Guinta stated just for the moment we're taking what's presented on the agenda for Item I.

Alderman Osborne stated wouldn't you think, your Honor, that to get some sort of teeth into these things before we go in with heavier fines. Don't you think we need some backup from the courts on this and so on. When it does go to court we need a little teeth in it, a little backup from the courts before we go ahead with fining everybody two, three or five hundred dollars or whatever it might be right off the bat I think we should start from the courts and the legislation before we do the fines.

Alderman O'Neil stated all this is doing is sending the proposed fine increased to the Committee on Bills on Second Reading. So, we don't need to table that or anything tonight and then it's going to have to come back to the full Board. So, all we're doing is keeping the process moving forward. Secondly, I think if people would be a little patient what's included in this letter which we should read into the record staff recommends some issues related to the courts or how the courts may be of assistance.

Alderman Duval stated perhaps I'm asking for a comment from someone that sits on the Committee on Administration...I don't get the sense that the committee is suggesting that by increasing the fines we expect to see a great return or an increase in violations or an opportunity to greatly diminish what's going on out there in our wards because it occurs to me that with the number of violations...if you take a look at the report that was handed out by the NET Team in mid-December that we each got a copy of and I know Ward 4 ranks among the worst in terms of complaints filed and a lot of that was related to trash and junk and so forth. I just don't know if fines are leading us to a false sense of security because it takes enforcement and given the activity that took place it seems to me that we've got a serious problem of getting these problems cleaned up and I'm not sure it's related to the fines. I just think it has to do with enforcement and follow-up and getting serious about the problem and I'm just concerned. Fines are one issue but enforcement is the most important thing we can do and I just feel that either the Building Department is understaffed and they can't possibly deliver on what we're asking them to do as a community and other departments are short-staffed as well and I need to know is that the problem.

Alderman O'Neil stated part of the discussion regarding raising the fines was that if the teeth of the fines were increased a little bit it would bring more people into compliance that they would never allow it to get to that point...that's the recommendation from staff that is out there every single day doing it. Alderman Duval's correct we have an enforcement issue whether it's numbers, we've asked the Building Department to start using the Code Enforcement Officers to start addressing some zoning issues when they're out on the site if they're there for a Certificate of Occupancy inspection if they see a zoning violation, abandoned car or something to take the proper steps. So, that was the thought process and the recommendation from City staff. Hopefully it never gets to the fines...this may shed some light because the Health Department happens to track this pretty good and Mr. Soucy and I had a discussion today and he did put down some thoughts on an e-mail to me and I can either read it or have him come up here because it has some pretty interesting numbers associated with it.

Mayor Guinta stated you can read it.

Alderman O'Neil stated this is from Tim Soucy...

As we discussed earlier here is some data from fiscal year 2006 our last full year of data. The Health Department investigated 324 litter and trash complaints. In addition to these initial inspections 476 reinspections were required. Assuming every initial inspection needs a reinspection to determine compliance the following information can be gleaned. Approximately 70% of 221 of the 324 of the complaints were cleaned up with the issuance of the first notice. This first notice also contains a narrative on the backside citing other sections to City ordinances pertaining to trash. This is another educational component. Approximately 30% or 103 of the 324 of the complaints required additional follow-up. This is typically in the form of certified letter or hand-delivered notice ordering the cleaning of the violation. Only 4%, 13 of the 324 complaints required the issuance of a summons to gain compliance. In other words, those who received a summons failed to comply after receiving two notices to correct the violation.

Alderman O'Neil stated so we're seeing more compliance on the first process...the summonses actually is the third process...am I correct, Max, that that's not only typical of Health but that would be typical of Building as well.

Mr. Sink stated that's correct.

Mayor Guinta stated there are still several people that want to speak.

Alderman Shea stated I think there is some type of credence to what Alderman Duval was mentioning about enforcement but in trying to do the job properly. Mr. Gagne could not answer the calls he was perhaps overburdened...Matt and his committee became involved and they began to identify certain problems in different wards particularly in Ward 7, which again improve the quality of life there. The problem has gone on since I've been an Alderman. There have been absentee property owners not the individuals that have spoken this evening they are responsible property owners and they're concerned that in the

solicitation of trying to identify irresponsible landlords there will be a problem that they will encounter because there'd be a few papers on their properties and will be subjected to well say scrutiny beyond the point of common sense. The problem is that we do not have enough people employed in their department. Mr. Gagne cannot handle that that's why Leon LaFreniere came before us and he said that he was going to hire another person. I don't know if that person is still being scrutinized or if that person is cross-trained or what have you.

Mr. Sink stated we just did recently hire somebody to fill the vacant position and this person has experience both in zoning and building code enforcement. We're very fortunate that he'll be able to hit the ground running sooner than someone who'd have to be trained completely in this.

Alderman Shea asked is that person bilingual?

Mr. Sink replied no, Sir.

Alderman Shea stated there is a problem existing in the community where you do have a lot of people who are not English as their first language and therefore sometimes there is a problem trying to find out exactly from their point of view what they should or should not adhere to. Again, that is a problem that we do have in our community in certain instances.

Mr. Sink stated it is mostly in the way of the tenants in trying to communicate with tenants. We find that the landlords that own the buildings typically have a better grasp of the language.

Alderman Shea stated I think that as one of the individuals pointed out here you may have responsible landlords but irresponsible tenants that do not adhere to what they should adhere to and I'm not sure whether that's in the people that obviously rent to people or should notification be given to them while they're tenants. But, a very serious point too is the fact that the same people who are violating the ordinances in 2007 have been violating them in the year 1997, 1998, and 1999. We have repeat people and one of the problems at least from my experiences at one time people were given a \$25 fine and they would ignore that and were given a \$50 fine and they would ignore that and I believe that somehow or other people have to understand that you can only have so many chances before you become irresponsible and I think that this particular levy of fines would go a long way as a first step but unless we get other things in place we won't get too far with this...it has to be enforcement and other things so there are many dimensions to this and just not one.

Alderman Smith stated in regard to enforcement it is a problem but I found out over in the Granite Street area that Manchester Highway issued letters to the occupants of those buildings and I bet you there was 35-40 and almost everyone complied with the ordinance

the following week. We do have problems and the problem is if we don't enforce and we don't keep after these people it's just going grow. Over at administration I had all kinds of pictures and we have to take it right now, we've got to do something right now before it grows, it's a cancer and I can't see going any further. I think the fines are a deterrent, there are responsible landlords out there but if you rent to somebody check on your tenants and that's what happens. I found out one landlord lived in Litchfield...we got him out of Litchfield and two hours later it was all taken care of. Another one is a lawyer in New York City...these are problems we face the absentee landlords. Now, the regular landlords that are complying they take care of their tenants there's no problem...they're not going to get fined the tenants are going to do what they tell them or else they're not going to be a tenant.

Alderman Lopez stated I think the committee is watching this very careful. It's an issue of the entire community. So, Max, if you can get that information to the Committee on Bills on Second Reading because it all has to go there regarding what Alderman Gatsas asked you. I'm sure that there's information that the Finance people can get on violations and if you need something in Spanish or something like that the Police Department has various people that can help you in that area and we have people in City Hall that can help you. With that, your Honor, I'd like to move the motion and request a roll call.

Mayor Guinta stated I understand a few other people want to speak and then we'll end with Alderman Gatsas and the we'll call the roll.

Alderman Duval stated as a follow up as Alderman Lopez just mentioned I look forward to further review of this before the Committee on Bills on Second Reading and any additional information that the Building Department can add between now and that time would be appreciated and I certainly would like to hear from members of the public who have a concern or objection to the increase in the fines just to get a well-rounded view on the matter before Bills on Second Reading.

Alderman Osborne stated again Ward 5 I guess has seen its share of problems. I spoke just before that I physically have taken garbage out of yards myself and quite a bit of it. But what I think what we have here is we are still running around with fines but no teeth. So, I can't vote as much as I can see what you're saying about putting fines in but I think we should put the horses before the cart. This legislation is fine what I read here I have no problem with that and I have no problem with talking to the courts to see if...what good if fining somebody all these fines and they know...it's always the same property owners that do this...they can get away with it, this doesn't mean any more than other fines we have now or anything else...it's all enforcement, it's all penalties. We need penalties...if we don't have penalties and they're not enforced it's all useless. So, I'm not going to be able to vote on this tonight as a whole. I'll vote on it separately but I will not vote on it as a whole.

Alderman Gatsas stated I think the point I was trying to get to is exactly the letter that Alderman O'Neil read into the letter but on some three hundred and so violations that the Health Department went back once, they went back a second time and I would assume the first visit didn't account to a fine, the second visit didn't account to a fine...it took them to a third visit and I guess I look and say if the fine was \$200 and we had to make three visits we're back to a performance situation on what's the utilization of time for somebody to look at that. I'm sitting here saying if we're looking at increasing fines to 14 people I'm missing something because I don't know how that deters the first time. I would think that maybe you go once, you give somebody a warning. If you go back the second time that's when the fine starts ringing but not to make three trips before somebody says I guess I'll clean it up for 14% of the people.

Alderman O'Neil stated might it be helpful for Mr. Soucy to come up because he wrote...he can back up the numbers.

Mayor Guinta stated I do want to move along with the meeting. I understand everyone's very interested in this. What I will say is this. First of all, let's remember that we just started addressing this problem in the last four months so I am asking people to be patient and understand that the Board of Aldermen and myself acknowledge that there is a problem in the City, that there are many landlords who are respectful of their property, of their tenants and who do nothing but good things on behalf of the City. There are those that have been far more challenging and less cooperative so how do we address that issue it's not in any one fashion, it's not just by fines. One of the great things I think we have seen with the NET is people interested and involved in trying to improve their neighborhoods. I think that's going to have a significant impact. I also share the concern that Alderman Gatsas has. It's not effective or efficient for us to send one person to a location several times, multiple times...there is a cost associated to the City for that so I think that process should be reviewed, however, I think that would be separate from the fine structure that's in place. Beyond that if the NET needs additional help which we have heard from Max and Leon in the past I think that they did hire that individual and we'll see what other kind of resources we can dedicate to it because this is clearly something that the community at large would like to see. They'd like to see neighborhoods improved. But, we also want to be very, very clear that there are people in the City who own property that have been nothing but cooperative and have complained without any acknowledgment. We are acknowledging this, we want to support the people in the City who have been frustrated by property owners in their neighborhoods who have not complied, we want to do nothing but try to increase that compliance and to the extent that we can do it in a friendly environment by creating a new warning system to work with neighborhoods I think will be a marked improvement as we go into the spring and summer months but let's remember that we just started this in September...going into the winter months is far difficult to try to address it but we are going to try to do so. So, with that let me take the vote...it's on accepting the report of the

Committee on Administration (Item I). The motion carried with Alderman Osborne duly recorded in opposition.

Mayor Guinta stated Alderman Smith you have an additional motion.

Alderman Smith moved to take the NET recommendations...the proposed legislation that they are going to refine and submit it to our members in the General Court. Alderman Thibault duly seconded the motion. The motion carried with Alderman Gatsas duly recorded as abstaining.

Report of the Committee on Administration/Information Systems:

- J.** Recommending that the Board approve the city-wide purchasing proposal as recommended by the Director of Public Works which includes assigning two existing staff to the purchasing operation; a procurement process for common supplies for departments that still allows for direct department purchases; expanding the procurement process of the Public Works Department to allow other departments to participate; requesting the purchasing operation to work with the Committee on Administration/ Information Systems to develop standardized procurement policies and procedures; and maintenance of a city-wide bid summary. The Committee further recommends that any charges or expenditures related to the purchasing operation stay within the \$200,000 appropriated in the 2007 budget and referred the matter of future appropriations to the 2008 budget process for review.

(Unanimous vote.)

Alderman Shea stated I don't want to belabor this particular item...this has to do with approving the City-wide purchasing proposal as recommended by the Director of Public Works. I publicly want to give credit to Frank Thomas and whomever else drafted this. This is a very prime project in my judgment that will help the people of Manchester, will also smooth out and provide services to other departments within the City of Manchester and I really want to compliment Frank Thomas for coming forward...I watched it on TV as he discussed this and I also called him today and I personally extended my congratulations to him. These are the kind of department heads, your Honor, that we want in our City that is going to take a complex problem that was proposed and simplified it and made is very simple, made it very easy to understand, it will provide services for all the different departments and the way that he has broken it down the lady that is working with him for the bids will be able to submit these bids, make them public, it will still give authority to the different departments.

Alderman Shea moved to accept the second report of the Committee on Administration.

Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Mayor Guinta presented the following nominations pursuant to Section 3.14(b) of the City Charter:

Paul Servideo to succeed Marty Gavin as a member of the Conservation Commission, term to expire August 1, 2008.

William A. Varkas to succeed himself as a member of the Highway Commission, term to expire January 15, 2010.

Pursuant to Rule 20 the nominations will layover to the next meeting of the Board.

On motion of Alderman Roy, duly seconded by Alderman Duval, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Guinta called the meeting back to order.

OTHER BUSINESS

7. A report of the Committee on Finance was presented recommending that Resolution:

“Authorizing the Finance Officer to effect a transfer of Fifty Six Thousand Eight Hundred Dollars (\$56,800) from Contingency to Police.”

ought to pass and be enrolled.

Alderman Shea moved to accept, receive and adopt the report of the Committee on Finance. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Mayor Guinta advised that there was no legislative update to be presented this evening.

9. Update requested by Alderman Roy:
a) status of vacancy savings

Alderman Roy stated I don't think there's any new additional information.

Mayor Guinta stated I think you're right.

Alderman Roy moved to receive and file the report. Alderman Gatsas duly seconded the motion. There being none opposed, the motion carried.

10. Communication from Kevin Dillon, Airport Director, requesting authorization to negotiate and execute the purchase of two parcels (Tax Map 854, Lot 1 and Tax Map 854, Lot 2) associated with the construction project to extend the safety areas of Runway 6-24.

Alderman Pinard move to authorize the Airport Director to negotiate and execute the purchase of two parcels as requested, subject to the review and approval of the City Solicitor. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

11. Report to be presented by the Human Resources and Police Departments regarding police officer testing procedures.

Mayor Guinta stated the report is being handed out.

Alderman Garrity asked your Honor is there a reason why we're getting this tonight.

Mayor Guinta replied because I think they had been working on it up until today. I think this was requested just about a week ago so I know they've been working several days to trying to get it to us for this evening. Let us take a two-minute recess to read the report.

Mayor Guinta called the meeting back to order.

Mayor Guinta stated we will hear from Human Resources and the Police Department and then we can open it up to questions.

Ms. Virginia Lamberton, Human Resources Director, stated we all worked really hard on getting this information together. In addition to people sitting before you we also had Fred Roach and Scott Page who is also a Police Officer with the Police Department who dedicated a lot of hours to this project. We would like to have gotten it to you last week but with all of the research we had to do...statistical information or communicating with every jurisdiction it just was impossible and we'd be happy to come back again and talk about it some more if you'd like us to. As you can see the cover letter outlines essentially all of the information that's attached to my letter but I think if you go to Item A I think that pretty quickly gives you a good idea as to really how well our Police Department is doing in recruiting and hiring police officers. For example, the City of Concord in calendar year 2006 tested six times...they received 420 applications all together and they ended up with only one or two viable candidates from each of those examination processes or they were between 6 and 12 candidates. They have the same problem we have, everybody has the same problem...people not showing up for the exams...that is not unique to the City of Manchester and nobody has an answer to why that happens, it's just an odd thing that happens to all the jurisdictions I spoke to. The starting pay in the City of Concord is \$39,900, Nashua has an officer who's pretty much assigned to doing recruitment full-time although he does have other responsibilities and he spends most of his time doing that...he tested once in 2006, he received 379 applications, 153 people did not show up, 226 did show up, 100 passed the exam and from that 100 people they ended up with six possible police officers to hire. The starting pay in Nashua is \$36,240. State Police tested six times in

calendar 2006...each test they got anywhere from 50 to a high...once they got 96 applications. Out of all of those tests only about 50% showed up for their exam as well. They hired 17 police officers, State Troopers excuse me in 2006 and two of those individuals left state service when they were actually at Police Standards and Training so they ended up with all that work only getting 15 people in 2006. In Manchester for calendar 2006 we received 230 applications from two different recruitment periods, 81 applicants did not show up or 38%...72% passed...we ended up with 10-12 viable candidates from each recruitment. We have hired 33 police officers in the last two calendar years and we have lost due to retirement or other reasons 31. So, it's a never ending trying to catch up, catch up, catch up. Our starting pay is \$39,583. Sgt. Cunha did this next report so if he'd like to address it...the colored sheets of paper.

Sgt. Robert Cunha stated what that next report demonstrates is basically a breakdown of what happened to people in each stage of the process and though the percentages vary from test-to-test we generally see failures at each stage and a lot of factors play into that. If the August '06 was a particularly hard test...we had a 37% failure rate. What we did for this last test we went to a mid-level difficulty test and our percentage rate dropped to 15% but again from process-to-process things can change. Where we experience a lower failure rate in the written test we got an unforeseen 46% failure rate in the physical fitness test...20 out of 61 failed. Again, forces beyond our control. As Ginny had indicated...along the process we do have a number of people who don't show up...they pay the fee, they pay their \$15 and they just don't show up for the test. Again, another factor beyond our control. A measure that we are taking now that we have an intern assigned to our division is what we did with this last test in January we're going to actually contact the people that did not show up for our tests and basically generate some stats as to what those reasons are and they could be anything from the person never got themselves ready for the physical fitness test and they were concerned that they're just going to go there and fail and be viewed in a poor light so they don't show up. It could be their boss wasn't going to let them get the day off to take the test, it could be that they thought about taking a police test but their heart wasn't in it and maybe they want to be a firefighter, maybe they want to be a teacher or something else and maybe they decide at the last minute not to show. For others it may just be they woke up late and hopefully we'll be able to pinpoint some of those numbers. But, where I would caution you is how hard we pursue these people. In the last three academies we've lost two recruits who have quite at Police Standards and Training. We thought those people had the dedication and the motivation to withstand all the weeks of training. We're talking about 14 weeks of training at the Policy Academy, another 8 to 10 weeks with us at an in-house Academy and then five weeks of FTO...it's a very, very challenging process and where I would caution you again is how much effort do we go after these people who can't make it to a test and just disregard it without contacting us. If they can't make it to the test are they going to make it through close to six months of training...actually, even more. The other thing this document talks about aside from the numbers is the background investigation process. Watching a lot of these meetings there's been a lot of talk about streamlining the process. Prior to this

whole discussion taking place we've taken some of those measures to try to do that very thing. At one time, the polygraph interview was done at the tail end of the background process and as you can see it takes close to 40 dedicated hours to do a background...including travel time, interviews, typing...there's a lot of factors that go into our background and by the time we're done with our background you're talking about a 37-40 page document that the Chief will read in three different parts. It's a lot of work. What we did by moving the polygraph up because failure in the polygraph tends to be high...we moved it up beyond the one-to-one interview. The one-to-one interview is approximately one that takes four hours. Another streamlining measure we took is we now computerize that interview so in lieu of typing or handwriting all your notes during this extensive interview and then having to spend a day or two typing it's all computerized so that during the interview you're actually entering it in and the format is now a question and answer narrative. What that does for us is at the end of that 4-hour period aside from some minor editing you are now ready for the polygraph exam and again we moved it up in the process...it follows the one-to-one. So, we've saved probably over 30 hours of dedicated work on a background to get this person to a polygraph and the good news is when a person passes that polygraph generally speaking but not always...but generally speaking they are going to do just fine because the one-to-one interview is so extensive that it covers everything in their background and then in the polygraph interview shadows that. If we don't uncover something in those interviews and the polygraph basically shows that a person is being deceptive then we feel pretty good about our candidates and then we do the follow-up with the teaches and bosses and family and neighbors and try to uncover anything else. But, generally speaking we have all of our questions answered by the polygraph...so that's a useful streamline measure. Now, the other measure that we've taken that is going to definitively move things along is the dedication of resources. There's no shortcut to the background, ladies and gentlemen, because there is none...it has to be done there's no stages that can be eliminated. To curtail any stages of the background you could end up with a candidate with no business wearing a badge and that could be a disaster to the citizens of Manchester, this department and this City and cast all of us in a negative light. So, we cannot eliminate any steps in the background. Talking about the streamlining measures and now I'm talking about the resources we've dedicated. With the nine recruits coming out of FTO on the 22nd what we've done is drop four experienced officers that are going to be assigned to my division beginning the 22nd to assist us with backgrounds...those new officers will go out so in essence you have a net of five new officers going on the street...those four officers will remain in my division for five weeks and will be assigned numerous backgrounds. We're also farming out three background officers in other divisions. Essentially what you're going to see from all the numbers and what Ginny talked about as far as everyone having the common problem is we're all fishing from the same applicant pool and it's a much smaller pool than all of us were fishing from in the past...that's a reality. The days of 500 people showing up to take the Manchester tests at least right now are gone. All our efforts for this next test the media blitz and everything that we're planning is going to help but it's going to help us draw from a slim applicant pool. The same slim applicant pool

that we're competing with the State Police, Concord, Nashua, Londonderry and everyone else with. So, by dedicating these additional resources to backgrounds what we're going to do is once we get these applicants on our side of the pond we're going to move on them as fast as we can so that the State Police or Concord or Nashua don't take them away from us because they moved quicker than we did in the process. I think that measure in and of itself is going to produce very, very good results. I'm comfortable in getting you an estimate and again it's an estimate because there are so many unforeseen things that can happen in a background but if you go by past rates with the number of backgrounds we're working on now I think in March we could be looking at a good hire of about 10 to 12 officers and if we can do that again in the summer we're out of this hole that we're in. And, again, I think the big difference is the dedication of resources and we have the luxury of having 9 officers finishing up FTO which allows us to do this now but would have make it very difficult for us to do it on prior dates. The rest of the document as you go through it just basically breaks down some of the other stages of the process but I think the graphs are telltale...the background is the meat of the process...that is a lot of work and a lot of man hours.

Alderman Gatsas stated I appreciate the presentation I don't think that we should be doing anything that's going to circumvent the quality of the officer that we get. I guess my question is and you've stated it twice is we're drafting from the same pool. So, if we're only testing twice-a-year and I live with the two people that are closest in competition with price that being Concord and the State Police and they're each testing six times-a-year then I would say that our people if the pool is the same they're being tested in two places much sooner than we're seeing that applicant get tested.

Sgt. Cunha stated I would tell you that they're not having the success. The last State Police test they had with all the resources and all of the overtime they paid to set up a dozen troopers to do that test they got 27 applicants. I think testing every other month is basically going to generate that. I think that's why we're getting lower applicant numbers than Nashua is. What they're doing is they're testing twice-a-year...like this current year we are going to test three times. I think when you space them out you get more applicants. I appreciate what your point is, however, if I saw that State Police and Concord were outdoing us I certainly would make the adaptation and present that to the Chief. The other point I would make to you is that we are in constant correspondence with our counterparts in other agencies and I stole the construction sign idea from Nashua because they said that worked good to get some people taking their test. If State Police told me that our process is working by doing the bi-monthly testing then I would go to the Chief tomorrow and make a recommendation but what they're telling us is that this is not working.

Alderman Gatsas stated I'm only looking at the Concord one and there you see 421 applicants and six tests.

Sgt. Cunha stated the end result was no more people than we hired.

Alderman Gatsas interjected let me finish my question. No, but the people that you lost were they hired...I recently would have tested and started their routine much sooner than you even tested them. So, if our pool is the same as what you said...if those applicants, those 400 people are applying to four different places. If they're testing them sooner and starting to say you're going to go to PT, you're going to go through our exams and you've passed we haven't even tested them even though they may have already applied to test with us. I'm saying that those people have a better selection of the pool if they're testing six times-a-year. You're only testing twice.

Sgt. Cunha stated I don't concur, Sir, because I just look at the stats and I just don't...like if said if they're outdoing us by testing every other month they're stats would far outweigh ours and they don't.

Alderman Gatsas stated statistically it's telling me that if you're telling me that the pool is the same somebody is testing sooner than we are...do you agree?

Sgt. Cunha stated excuse me.

Alderman Gatsas stated if we're testing twice-a-year and somebody's testing six times-a-year they're testing sooner than we are with the same pool of applicants...that means that somebody's getting tested and qualified sooner than we're even given our tests.

Deputy Chief Simmons stated I understand exactly what you're saying because of the fact that they do it six times but of the six times they took the test and that was in the same discussion we had with State Police and the six times they had a test several of those times that they actually tested they had a small applicant pool of I think State Police, Sgt. Cunha mentioned was 23 at one testing procedure. Of those 23 if you look at the failure rate being reasonable all the way across the board if they even got one candidate out of that 23 was probably not even likely.

Alderman Gatsas stated I guess I'm not making myself clear. I can only go by the statement that that you gentlemen made saying that there are 500 people we have to draw from all throughout the state for a police officer...State Police, Concord, Nashua...it looks like we're drafting from the same group of people.

Sgt. Cunha stated by doing it every other month all they're drawing to their side of the pond is 27 people...it's not a success. So, if they were drawing every other month 100 or 75 or even 60 people then your argument would certainly have a lot more merit, however, when they're only getting 27 people...they're not even drawing enough people to make it consequential.

Alderman Gatsas stated I still haven't been clear.

Sgt. Cunha stated you are very clear.

Alderman Gatsas stated no but what you said was we're drawing from the same pool of people, is that true?

Sgt. Cunha replied yes, Sir.

Alderman Gatsas stated okay so if they're testing those people in January whether it's 20 and then 20 more in February and 20 more in March and 20 more in April and 20 more in May and we do our first test in June...they've tested those people before us, you just started the testing process...they could have already hired somebody out of that January pool which might have wanted to already take your test.

Sgt. Cunha stated that argument goes to basically Nashua testing a couple of months before us by schedule...that argument could go there as well. Again, I just look at the numbers and I talked to the people in those departments they themselves say that the process isn't working well.

Deputy Chief Simmons stated I've got to say that we've got to remain open minded on that and that if our analysis of why people don't show up for a test and the analysis we're going to do in the future as to why people fail the test or what happened to the people that we lost. If that analysis shows something different we're going to go in a different direction...certainly do understand what you're saying.

Alderman O'Neil stated I have a number of questions for our distinguished panel in front of us but one of them is about a conversation the Chief and I had last week and John could you just talk about the military service issue that you brought up to me. I hadn't given much thought to it but when the Chief said it to me it hit home...do you remember our conversation about it.

Chief Jaskolka replied yes I do and I think part of the problem that we're having right now and Nashua and Concord and law enforcement across the country is that a lot of the public service minded people, the people who want to get into this type of occupation are all in the military and they're all overseas fighting a war and I think until those people come back we're not going to see the higher numbers that we were getting. These are the people who are dedicated to public service, these are the people who want to do this type of job and these are the type of people who come back and are a perfect fit to this type of job. So, a good part of our applicant pool is the people currently in the military and we're losing out on that until we get those people back.

Alderman O'Neil stated that hit home that when this country wasn't at war we might get four or five or six hundred applicants for the tests. I'd like to go to Item A...just a couple of things...does it make any sense and I know that Massachusetts has civil service...has anybody tracked to see what they're getting for numbers and how about other cities like Portland, Maine or the Connecticut's or the Rhode Island's...I'm sure the trend is the same but I'm just wondering are they doing anything...you specifically talk about Manchester and three other agencies in New Hampshire but have we expanded to look New England wide with what some agencies may be doing.

Chief Jaskolka replied I don't have specific stats on that but what I will tell you is this is not a localized problem here in Manchester or New Hampshire or New England...it's a nationwide problem. The message that I just got from the International Association of Chiefs of Police and they came out with their law enforcement agenda that they plan on presenting to Congress a lot of the items they are looking for and the item that is of great concern to the law enforcement community is enhanced police recruitment and retention and this is a national organization bringing that in front of Congress because it's a problem everywhere.

Alderman Shea stated I just wanted to inject that in *The Boston Globe* there was an article that the governor wanted to hire a thousand more people down in Massachusetts but that the applications that they are receiving do not compensate for the amount of people that they need to hire. So, that's in the Boston area. I can't speak for other papers but I noticed that.

Alderman O'Neil stated thank you for that, Alderman Shea. Just a few more questions, your Honor. If I look at Item A one of the things that might pop out at me is what can we do to differentiate ourselves from the others and I look at the starting pay...we're right in the mix with the other three. Is that something that we should be looking at...the starting pay for police officers in the City? Might that make us different then everybody else?

Ms. Lamberton replied I think money definitely does help but money isn't the all saving grace. We could get permission from the Mayor pursuant to the ordinance to start new police officers at higher steps and they just have received permission to hire bilingual police officers at a higher step...that is unique because they are bilingual. We'd have to do an accounting of cost for you because there's another ordinance that says if you hire somebody at more than the minimum then you have to pay all of the other people that you hire more too so we'd have to see how much a positive effect but that's certainly a good possibility.

Alderman O'Neil stated it could be a domino effect. But, as I sit here and look at this maybe we should be paying and I'm making up a number...maybe if starting pay was \$45,000/year maybe that's something tat might get more people to pay attention to Manchester. I'm going to be nice tonight and not yell or any of that...I apologize I got a little wound up a few weeks ago here.

Ms. Lamberton stated we talked about doing maybe a hiring bonus and we were going to talk more among ourselves and come back to you and ask you if you would give us permission and then money to offer some type of hiring bonuses like they're doing in hospitals for nurses right now. We can't find anybody in New Hampshire who's doing that...I wish I wasn't on TV but we were thinking that maybe that would be a good idea...give people half of it in the beginning and then in the eleventh month give them the other half of it. But, those are just some things that we are certainly thinking about different ways to make it more attractive to come to Manchester then to go to another city.

Alderman O'Neil stated in combining Items C & D...in C you talk about some of the past practices and advertising...consider holding tests on weekend might that attract more but there's a cost to it...I think that's something you should bring forward to this Board and when you go to Item D...I appreciate some of the stuff you've taken to try and streamline the process because that's been a concern. When I look at the third bullet regarding the process in my opinion if you need some money you need to come back and tell us that. If you need to expand where you've been advertising we need to send officers out to Rhode Island, Connecticut and spend the night at some of these colleges or something I think that needs to happen. We need to expand our base a little bit and I for one would support committing some funds to do that. So, I want to thank you for your efforts and I hope this is the start of some real positive things. Thank you very much.

Alderman Roy stated while I agree quite a bit with Alderman O'Neil...Sergeant one of the things we've talked about in the past is that the City is for lack of a better word a "slave" to the state when it comes to the Academy. Could you discuss that if you did change the procedures or the six times per year testing what effect that would have on placing officers or candidates in the Academy and the times that those happen per year.

Sgt. Cunha stated the Academy...they are currently running three-a-year and that's part of the reason why this last test was done. Our concern was that we would miss this April Academy then the next Academy is not until August 28th. The August 28th Academy with all the amount of time involved in training you're basically not seeing an officer on the street until 2008, therefore, we rushed to try and get this last test in because it was originally planned for a February or March test so we moved it up to get it into January so that we would have enough time to get through the hiring process and get them into the Academy. As far as the testing every other month...yes you could run into some problems there because if you were to bring a person on say just after an Academy started what do you do with them in the meantime...I know the state does have a regulation allowing officers to be on the street prior to the Academy but I would strongly advise everyone not do that in the City of Manchester...far too dangerous to put somebody out there that is not fully trained. In my opinion I think an officer needs to be trained with all the challenges in the City with all the training that's available and I would never condone putting someone outside of the

Academy. So, we do try to revolve our schedule around the Academy dates that we have and it used to be four times a year and now it's down to three times a year. They don't want to run a summer Academy.

Alderman Duval stated just a brief comment...I really appreciate the collaborative effort and cooperative spirit that I sense here tonight and I was most impressed by Deputy Chief Simmons' remarks when he indicated in response to Alderman Gatsas' questions that it's a work-in-progress. If you have an open mind to changes as evidenced by the document presented to us tonight and I think the changes are positive, I think it's good and I appreciate it. It was a good effort on all your parts. Thank you.

Alderman Lopez stated I also think it's an excellent report...it takes the motions out of it...actual facts. I just want to ask a couple of questions...how do we stand with the Reserve program, the reserve officers.

Deputy Chief Simmons replied of the application pool we sent out letters to viable candidates for a February 15th physical testing date. If they pass that we should be able to streamline that rather quickly.

Alderman Lopez stated the second question I have...is the testing the same type of testing we give at the other locations such as Concord, Nashua, etc.

Sgt. Cunha stated I can't speak to exactly where they draw these tests from but they are going to be similar. Basically, tests are done...they are basically a test that is certified, it's defensible, all of the aspects of the tests have statistics on why a properly tested person or candidate to be a police officer...so every aspect of the test...there's a large document that goes along with it and we actually grab it for our accreditation explaining why the different sections are set up the way they are and what they're designed to measure.

Alderman Lopez stated so if I was taking a test in Nashua or Concord it's the same test that we were going to give and I passed that test down there do I still have to take Manchester's test.

Sgt. Cunha replied yes you do.

Alderman Lopez stated even if it's the same test.

Deputy Chief Simmons stated it won't necessarily be the same test but they're all certified tests and they're all based on certain criteria that they think a police department or a police agency is looking for so it wouldn't necessarily be the same test...we wouldn't want that. Secondly, we wouldn't want that...somebody could test all across the state and by the time you got to us you could get 100%.

Ms. Lamberton stated the State Department of Personnel develops their own examinations. So, they don't by them they develop them but they have testing staff that do that and they are professionally certified to do so.

Alderman Lopez stated you sort of touched upon bilingual but I think there is a problem and maybe we don't have that many officers but what are we doing in that area because usually there's a top priority in the Latino community.

Deputy Chief Simmons stated you can see in the documents some of the different areas we've actually advertised...the last page outlines on-going and future recommended sites and plans and that was to try and increase our complement of bilingual officers and one of which Ginny touched on was to add an extra step to a bilingual officer so that we hire.

Alderman Lopez stated I think that's an excellent idea...maybe the Sergeant can go down to New Mexico and find some.

Alderman Osborne stated I think it's a great report. I have no problem with the report itself but I think what I thought about too in this particular situation when I brought it up before is that I don't think money is the big answer, it still has to be in your blood somewhere and I think I was thinking about the military. I think that's the big problem...I think that's your biggest problem there and as far as Alderman Gatsas and what he was talking about and what I thought about also is wouldn't it be nice if we were first testing rather than in June...shouldn't we be in January, be first in the state, like "First in the Nation".

Deputy Chief Simmons stated we just did, we tested in January.

Alderman Osborne stated alright at least I'm thinking the right way.

Alderman O'Neil stated just a point...I don't know how this came to develop but maybe at some point later...not tonight, Chief (Kane), but I think Joe over a period of years there's been an agreement where the state has gone to one statewide entry level testing for firefighters now. We were the last to join it but I don't know if maybe at some point later Joe could send us a memo on whether that's helped, hurt or whatever it's done. Am I correct on that, Joe?

Chief Kane stated there one testing scheduled statewide.

Alderman O'Neil stated I don't know if that helps, hurts...second item is something in a discussion with members of the administration I happened to hear that Sgt. Cunha talk about...I thought he said the reduction from four Academy classes to three a year now, is that correct?

Sgt. Cunha replied that is correct.

Alderman O'Neil stated I asked the question I think they were going to explore it...it might not be popular but what if we ran our own Academy...I think we have many people certified in probably every aspect that's taught in Concord and that way it's on our timeline not waiting on someone else's and I do remember either the Chief or one of the Deputies saying at one time they were contacted that we were only going to have a limited number of slots even if we had additional officers we were only going to have a limited number of slots for the Academy class...Bob, do you want to answer that.

Sgt. Cunha stated as far as setting up our own Academy.

Alderman O'Neil stated yes.

Sgt. Cunha stated one I don't know if the state would allow us to do that and secondly it's certainly not impossible...we've got a lot of very good instructors in the department, however you're talking an undertaking of mammoth proportions...the Academy over the years has gathered all kinds of equipment for training purposes...firearms, simulators, driving simulators...they basically have really prepared themselves so that they really put together a good training program and for us to come up with a training program to replace that 14 weeks here I would venture to say you're probably talking about another facility, you're talking about all kinds of costs and equipment and everything else to provide these recruits the same level of training. Again, not impossible but it's a very, very large undertaking.

Alderman O'Neil stated if it's something that might make some sense we can ask the legislature to explore that. I don't know if that by Administrative Rule or state law although it wouldn't be a popular thing in Concord but I'm not really worried about Concord I'm worried about Manchester...I'm getting some looks from the members of the legislature on this Board. But, it's something in my opinion that's worth exploring. I've heard some of your peers in other agencies say the officers going up to the Academy are so well prepared having gone through a pre-academy program in Manchester that's where the real test is in the pre-academy program here so that's a compliment to our department and the final thing I guess Deputy Chief Simmons is the expert on reserve officers. As we move forward Officer Brown is going to retire in September and they're interested in becoming a reserve officer will we just roll them right from a full-time roster to a reserve spot?

Deputy Chief Simmons replied with a couple of minor issues there...probably make them go through the PT test which is very general and for the most part yes it will be streamlined, it will be much quicker...we have those spots available so it will be much easier to do.

Alderman Shea stated what I'm interested in is we've discussed whether it's advantageous to have testing two times a year...how will you note whether it's better to have it three times a year if you continue to test two times a year...what do you have in place that might help you personally and your department to say well maybe we should have it three times a year and I'm not sure about the applications being accepted vis-à-vis the Academy being available to go. But, how can you say or how are you going to approach that...three times a year testing vis-à-vis two times.

Sgt. Cunha stated we'll be testing three times a year this year because of this test that we squeezed in so I guess we'll have a better answer for you...I would tell you that what we see with us in Nashua...Nashua religiously tests twice-a-year as they're getting the larger applicant pool with the 379 applicants, however, like we explained to you by the time they were done that physical fitness test and written test and the no shows they were down to 99 or 100 applicants out of that 379 so they do draw more applicants but their number of people who drop out are higher, the ratio is all kind of the same but the number's higher.

Alderman Shea asked when you tested twice-a-year when did you test.

Sgt. Cunha replied we tested in March of '06, we tested in August of '06, we just tested January of '07 and we have a test scheduled for April 7th of this year and then I'm targeting a potential date in October as well.

Alderman Shea stated maybe this is off but do you have people who may just take a test one year and probably don't do well but say I really want to be a police officer and come back and repeat.

Sgt. Cunha stated absolutely. On the January 8th test date I had a number of conversations with people who failed the test, I gave them some advice, they have prep books that you can purchase, gave them some advice and I encouraged them to study, come back in April, contact HR in a few weeks, reapply, come back in April please take the test...the same with the physical fitness standards...you came out here you realized that you weren't ready, you didn't do any running or you didn't do any lifting, you need to get ready for it next time, you're certainly welcome to come back and encourage you to. Someone can always come back and take our process...where there's limitations is someone who's eliminate from the process in the background. If they're eliminated in the background there's a three-year window where they cannot apply. A lot of that is procedural and some of it actually has to do with Police Standards and Training issues. If a person has a narcotics issue or things like that they by mandate will not certify that person and will not allow them to be a police officer for three years after any narcotics use or things like that. But any other stage of the process we always encourage them to come back and sometimes we do get good candidates because again it speaks to their motivation. If a person knows that okay they sat me down, they told me what I needed to do I'm looking for that person that says okay I didn't come

prepared I'm going to work real hard at what the Sergeant told me and I'll be back next time and when I see them come back and I see the improvement to me that's a person that has some real merit and could probably have the motivation to get through the training...a lot of the others we never see again.

Alderman Shea asked how about somebody that might want to work at the police station in one capacity but because the reason they probably have more confidence do you get more people that might move from one department to say the police officer level.

Sgt. Cunha stated absolutely. We've had some people start out in the Dispatch Division and have transitioned. Many of our officers have started out in communications and other positions in the department so that does happen.

Alderman DeVries stated within your report I didn't see anything that addressed bringing officers that are already certified onto your department and I've heard in the past that there's a premium on these individuals because they can hit the streets far sooner. Was there any discussion and I'm not trying to put you on the spot, Sergeant, but from anybody who wants to jump in...was there any discussion on bonuses that we need to enact.

Sgt. Cunha stated we've taken a couple of...a few different measures on that. Part of the proposal we have in there is advertising with fraternal organizations for police departments...that's going to help us in two ways...it's going to help us in getting certifieds and we're also going to target those fraternal websites that are set up by and for minority officers which will hopefully help us with our demographics and our bilingual officer situation. In addition, we've had discussions about the NYPD. We've gotten a lot of applications and good officers from the NYPD and there's a lot of officers from...what these officers are communicating to us is that there are a lot of officers there that are willing to make changes at this time. So, there are a lot of fraternal organizations that we can advertise with within the NYPD. If we can get word out there as much as we can that the Manchester Police is hiring, our pay rate is much better than theirs, their recent voted pay decrease, they're starting at \$26,000 in New York City so that's a place I really want to try to recruit from quite a bit and what we've done is we've reached out to a lot of our NYPD officers that we currently have who have corresponded with some of their academy mates, etc...as a matter of fact I have three NYPD officers in the process currently. In addition, we advertised with *Articulate Suspicion* which is a publication put out by Police Standards and Training in New Hampshire...they have since gone to only a semi-annual publication where it had been quarterly. So, what they've done now is gone to a monthly newsletter. So, I asked them to have an open ended advertisement for the Manchester Police Department to get certified officers over. Certified officers save us a lot of time and we can get them on the street a lot quicker which even though we're paying them the same amount or an amount of dollars we're still saving money because of having an officer sitting at the Academy we have an officer patrolling the streets much sooner and New Hampshire certified are a very quick

process because we can get them right out without any law training up at the Academy. So, we have talked about that and we are currently looking at seven certified as I speak for this next hire in March.

Deputy Chief Simmons stated additionally with that we have an open applicant pool for certified. Although we test now twice-a-year as soon as a certified applicants gets through Human Resources and they qualify them they send them to us and we get those almost on a daily basis and oftentimes a certified will start at a higher step than a non-certified will.

Alderman DeVries stated I would imagine that one of the problems that you have to overcome is their giving up some of their seniority and their accrued vacation time in other departments and the Human Resources Director can smile at this because this is a problem that comes back to haunt us frequently on our high-end employees that we're trying to entice. But, I'm wondering with the Police Department is that a fee set would assist even from within the state if we were able to match the vacation/leave time that they have or if the union was willing so that they wouldn't be stepping down from say three weeks to two weeks or four weeks to two weeks...is that a problem?

Ms. Lamberton replied as you stated it would have to be negotiated with the unions and frankly we have done a survey...I happen to know that State Police gets three weeks the first year out and then after eight years they get 18 days...the state's much more generous than the City of Manchester on vacation time but we can check around with some of the other jurisdictions and see what they're getting now. But, that is a problem with recruitment in general.

Alderman DeVries stated I think it's important when we look at the compensation package that we're looking at some of the other items because definitely if we're comparing the State Police salary that's a little higher than ours and they're starting with better benefits than we have we truly are comparing apples-to-apples and maybe the bonus situation that I think you alluded to is more necessary for us to entice those candidates that otherwise would be State Troopers. Do we need a motion, your Honor in order to move on the suggestions that have been brought forth. I see that you've already authorized a bilingual step at Step 2 and it sounds like because it's not in the letter the signing bonus for veterans wasn't something that you wanted to initiate at this point in time.

Mayor Guinta stated what I'd like to do is take a look at this report in a little more depth, have an opportunity to meet privately with the Police Department and the Human Resources Director. As you and I only had an opportunity to see this this evening because they wanted to get it to us as expeditiously as possible. So, I think we have an opportunity to sit down and look at some of the potential areas of improvement and then come back with some recommendations.

Alderman DeVries stated I agree with that. Even if it's a phone poll, if there's something that we need to authorize and move forward I would hope that we would not have to wait for it to go through meetings or committees. So, if you look at something like the veteran's hiring bonus I think we should be hearing about that. Thank you.

Alderman O'Neil asked would it be your intent that if we wanted to...after having had a chance to review this I appreciate the discussion this evening...you would have this group back in two weeks or in a month...two weeks might be a little quick...

Mayor Guinta stated two weeks might be a little fast.

Alderman O'Neil stated so maybe two full Board meetings from now we should ask this same group to be available. I'm just throwing it out.

Mayor Guinta stated let me get back to you on that if I could.

Alderman O'Neil stated if possible we should have them within the next month at least. Thank you, your Honor.

Alderman Duval moved to accept the report as presented by Human Resources and the Police Department. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

Alderman Lopez stated Chief you were going to provide us with a financial budget that you will need if you got all of these officers...when do you think you would present that budget?

Chief Jaskolka replied the Human Resources Director has that.

Ms. Lamberton stated we calculated that to hire 16 new additional police officers it would cost in salaries \$975,449 and benefits and then for equipment it would be \$85,520.

Alderman Lopez stated that's for health and all.

Ms. Lamberton replied yes it's always in benefits.

Alderman O'Neil asked are there 16 out of this test that was given just last week.

Ms. Lamberton stated I can't remember how this started but somewhere a month or so ago it was in early to mid-December...actually I think it was the first meeting in December there was a question about...somebody had asked if we were able to fill the 16 additional positions

that are not currently funded how much would that cost and so we calculated filling 16 positions with salary and benefits and then equipment.

Alderman O'Neil asked any idea what that complement...is that based on the 215 complement or I think the elected officials believe there's only a 225 complement.

Chief Jaskolka stated I believe what that was with the amount of applicants that we had for that test we just gave...I'm not expecting 55 not to show up...the average that we would have got out of that would have put us over the 215 so it was the 215 plus the additional and my question was if I can get up to 216-218 would we have the authority to do that knowing that we will have retirements.

Alderman Lopez stated I guess my final question on that is knowing these figures...are we moving ahead on this making sure that he's going to have the money and all that so he doesn't have to wait for decisions he has to make for these officers.

Mayor Guinta stated the Chief and I have talked about it in our weekly meetings and I think we'll wait to see how the process unfolds. If we're in a fortunate position of going beyond the 215 in this fiscal year my intention would be to try to find a way to identify those dollars but I'm not sure if we're going to be in that position or not at this point.

Alderman Lopez stated I just want to make sure somehow the Board gets involved in the process as far as if he has the officers and we need the money then we need to be informed so that we can assist in finding that money.

Mayor Guinta stated we'd likely have to come back for a financial appropriation of some sort which would mean we'd have to look in the big pot of money we have and see how we want...where we want to borrow the money from.

Alderman Lopez stated I realize that. If he has officers I don't want to lose them.

Mayor Guinta stated I can tell you we're not going to lose officers if we have them.

Alderman Shea stated aren't we talking about the '08 budget or whatever...I don't know what we're talking about...we're just talking about the fact that we may have additional officers but we don't really have them so we're just getting a ballpark figure if we were to have them. It's like signing someone that we haven't really signed yet but I think that's up to us in the next budget to sort of kick that around more than right now.

Alderman O'Neil stated clarification...this could theoretically happen in this fiscal year, correct.

Mayor Guinta replied it's possible and that's why the issue is before us. If it happens prior to the conclusion of the FY07 budget we then have to make a determination.

Ms. Lamberton asked may I just qualify that. The request that we had was for the whole year...those numbers are for a 12-month period...so you can divide that...if we were lucky enough to hire that many police officers we can divide that by how many months are left in the year...there would be a much lesser number is what I'm saying.

Mayor Guinta stated it's a million dollar impact essentially in '08.

Alderman O'Neil stated that's for '08 but the intent is if they can get offers out and I can't remember if they said there's a spring Academy class.

Ms. Lamberton replied April.

Alderman O'Neil stated and we max out on the numbers we're going to have to commit some funds to that I believe. So, although it is a legitimate discussion for the next fiscal year we may have to...as Alderman Lopez said if they have the numbers we may have to make job offers for this year and get people to the Academy before we lose them which as I've said I've talked to the Chief about it...we talk on a weekly basis and if we're in that fortunate position then we'll look to the current budget to see where we can try to apply the funds from.

Mayor Guinta asked Alderman Roy did you have a comment?

Alderman Roy replied yes I got sidetracked by the numbers so I guess a question for the Chief...that \$85,000 equipment number...that doesn't include any vehicles, it's just the personal equipment carried by the officer?

Chief Jaskolka replied that's correct...that's just uniforms, leather gear, radio, firearm and bullet resistant vest.

Alderman Roy stated for the benefit of my colleagues it's roughly \$83,000 per month for the 16 additional officers which brings me back to...I remembered ,y question...Sergeant, you said your test date was April 7th.

Sgt. Cunha replied correct.

Alderman Roy stated that is the Saturday of Easter weekend.

Sgt. Cunha replied yes.

Alderman Roy stated I just wanted to make sure I go that date right. As far as betting your free plug o TV what would the close date for applications be...is it a standard two-weeks ahead of time.

Sgt. Cunha replied it would be at least a couple of weeks before.

Alderman Roy stated so anyone interested should get in an application by mid to the end of March.

Sgt. Cunha stated I would advise anyone who has an interest to correspond with Human Resources as soon as possible and just basically get a breakdown on what they need to do now and get some of the PT standards and some of the other things that they're going to need to prepare for that test and if anyone has a question as to how to prepare for the written test they can contact me at the Police Department and I can give them some advice on preparing for the written test as well.

Alderman Roy stated as a quick follow up...I know you've made some changes or lost some personnel over at Information Systems but Ginny this is something that would get on our website as soon as possible as far as job postings.

Ms. Lamberton replied absolutely. As a matter of fact we've actually talked about adding more information to the website delineating the precise requirements for the physical fitness test so people can maybe start a little sooner to get in shape and be able to do 40 sit-ups rather than 5.

- 12.** Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

Alderman O'Neil moved to commit the sewer warrant in the amount of \$112,464.60 to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen. Alderman Long duly seconded the motion. There being none opposed, the motion carried.

- 13.** Communication from Georgie Reagan, Mayor's Assistant for the Arts, requesting authority to renegotiate the lease agreement between the City and the Manchester Artists Association for space located in the Rines Center.

Alderman Shea moved to authorize renegotiations of the lease agreement between the City and the Manchester Artists Association. Alderman Garrity duly seconded the motion.

Alderman Gatsas stated I guess my question goes back to the Office of Youth Services that's in the Rines Center. We've talked about them for two years. We had an exciting conversation during that last budget period, we're coming onto the next budget period and

there still in space without windows and I guess...is anybody doing anything to get them into an atmosphere that is conducive for these kids that are at risk.

Mayor Guinta stated there's been on-going discussion about it I think the challenge is there's not much space available, if any, that we own so we have to look outside of what we own which would require additional budget money in the OYS budget whether that's going to be included in next year's, the FY08 request or not I'm not sure but that's essentially where it stands at the moment.

Alderman Gatsas stated I go back to the Rines Center and say that there are probably three conference rooms down there that have an awful lot of glass windows...I don't know what their utilization is but whatever it is that just sits there and whether it's utilized once-a-month, twice-a-month I think that the accommodation for the people that are dealing with at risk kids...because all we talk about today is improving the PASS Program and seeing if we can't help at risk kids and we have people that are counseling them in offices that you couldn't get four people into. And, it's been a conversation for the last three years and we've not done anything. I don't mean you but I'm just saying as a collective.

Mayor Guinta stated I know. I haven't had an opportunity to talk to the current Health Director about that space, I can tell you that the former Health Director I don't think felt that it was an appropriate use for the space but I could certainly have a conversation with the current Health Director and see if we can make some headway for that particular location. If not, I'd certainly entertain any suggestions or options or ideas that members of the Board have for alternative space. I'm sure Mr. Boldin would appreciate it as well and unfortunately he's not here to actually hear that but we'll make sure the message gets to him.

Alderman DeVries stated I'd like to ask the Solicitor to clarify the Addendum to Lease...in the second paragraph, fifth line...the sum is it \$500 or \$250...I think you have a typo I just want to be sure?

Mayor Guinta stated it states \$500 and the number is \$250.

Alderman DeVries stated I believe it's \$250 but I just want to clarify that.

Deputy City Solicitor Arnold replied the current rent is \$500, I believe she's looking to reduce it to \$250.

Alderman DeVries stated I guess that's my way of bringing the typo to your attention because it's kind of an important one. Thank you.

Mayor Guinta called for a vote on the motion. There being none opposed, the motion carried.

- 14.** Communication from Norwin S. and Elizabeth N. Bean Foundation advising of the award of a \$7,000 grant to the Mayor’s Youth Advisory Council to help lower the rate of high school dropouts.

Alderman Garrity moved to accept the grant award. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

- 15.** Supplemental Appropriating Resolution:

“Amending a ‘Resolution appropriating to the Manchester Airport Authority the sum of \$52,321,042 to \$57,321,042 from Special Airport Revenue Funds for Fiscal Year 2007’.”

On motion of Alderman Roy, duly seconded by Alderman Pinard, it was voted to dispense with the reading of the Supplemental Appropriating Resolution by title only.

Alderman Roy moved that the Supplemental Appropriating Resolution pass and be Enrolled. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

- 16.** Resolution:

“Authorizing the Finance Officer to effect a transfer of Fifty Six Thousand Eight Hundred Dollars (\$56,800) from Contingency to Police.”

On motion of Alderman Roy, duly seconded by Alderman Lopez, it was voted that the Resolution be read by title only, and it was so done.

Alderman Shea moved that the Resolution pass and be Enrolled. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEMS

- 17.** Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

This item remained tabled.

18. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”
ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

This item remained tabled.

19. Communication from Randy Sherman, Interim Finance Officer, requesting that approximately \$50,000.00 be set aside in Contingency due to the severance payout to the former Finance Officer.

(Tabled 11/28/06 pending filling of permanent Finance Officer position and review of other fund sources by Mayor.)

This item remained tabled.

20. Draft Emergency Management Plan for the City of Manchester.

(Tabled 01/02/2007 until February 6, 2007 – Plan previously distributed to members of the Board and recent communication from the Health Department enclosed.)

This item remained tabled.

21. NEW BUSINESS

Request of Alderman Osborne that \$3,500 to \$4,000 be authorized from Contingency for the installation of traffic signals at the intersection of Massabesic and Cypress Streets.

Alderman moved to approve the request. The intersection was made a 4-way stop back a couple of months ago it’s kind of more dangerous with the signs rather than having the signals there.

Mayor Guinta stated I don’t necessarily disagree with the request but is there a reason why it can’t wait to go through CIP.

Alderman Osborne stated CIP I don’t think...I’ve checked through that already with Mr. MacKenzie and I don’t think there’s any monies anywhere...he’s looked everywhere he could so the only place left would be contingency.

Alderman Garrity stated Mr. MacKenzie how about the South Willow Street Fire Station.

Mr. MacKenzie stated that is bond money and could not be used for a signal. I think that virtually all of that was gone.

Alderman Shea asked aren’t there stop signs on the four corners there or am I mistaken.

Alderman Osborne replied yes, Sir. There are 4-way stop signs there...they were probably due there 25 years ago but they're there now. I have a sign reading ahead on both ways west and east reading "Stop Ahead" and also a little further down it says...has a stop sign with an arrow and then you get to the stop sign and there's also stop on the pavement and I think this will put the icing on the cake by putting the 4-way signalization.

Alderman Shea asked how much do we need it?

Alderman Osborne replied \$3,500 to \$4,000.

Alderman Shea stated there are four stop signs there...I go there, I observe the stop signs...what is the blinking light going to do that the stop signs don't do.

Alderman Osborne stated it's going to help people that are going through the stop signs and you can see this a lot further away and it draws their attention. It's not paying attention on the streets today...that's what's happening in a lot of cases in my ward...they're not paying attention to signs.

Alderman Shea stated I'm not in favor of this.

Alderman Garrity stated I have a CIP meeting scheduled for January 22nd so I will move that this request be referred to that meeting. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

Alderman Osborne stated I just want to ask Alderman Garrity...what can we do in CIP with this?

Alderman Garrity replied maybe we can find some money for it better than coming out of contingency is my point.

Alderman Osborne stated I think Mr. MacKenzie and Finance have gone through all of that and I don't think there's much left to try and find.

Mayor Guinta stated the point I would make as well is I think we're trying to be very careful about contingency funds...I think we've only tapped it once and it was for a public safety request.

Alderman Osborne stated I think this is public safety, your Honor.

Mayor Guinta stated I don't disagree but I would like these requests to go through the proper process...let's see if the committee can fully review the dollars that may or may not be

available and see what the recommendation would be to come out of the committee. Certainly, I think I'd like to try to work with any ward to address the public safety issues but I think it's more appropriate in committee and we're going to have a meeting this month you said Alderman.

Alderman Garrity reiterated the twenty-second of January.

Alderman Lopez stated a couple of things...if the police could also give a report to the CIP committee if they've had any accidents up there I would appreciate it too. I think it's important. One of the things I wanted to bring up...I know we're going to be talking about it at some point. I had some discussion with the Mayor in reference to the reduction in taxes that we received in the Central Business District, South Willow Street, East Industrial Park Drive and maybe other areas in the City. I think it's important.

Mayor Guinta stated I think we have a couple of options. I think it's certainly a legitimate discussion for this Board to have. My preference would be two-fold. Number one to let the Assessor's fully investigate it. I, myself was only notified of the letter on Friday but I'd also like to have the appraisal company come before us and I think they could appropriate answer some of the questions. So, my recommendation I would take a motion to get them here for the February 6th meeting and we could take it up at our next meeting and have them here and spend some time trying to address that issue.

Alderman Lopez stated I think it's okay it maybe only an hour, an hour-and-a-half to discuss some of these issues but in the meantime I think that the Assessor's should review all the business areas in the City of Manchester just like one of the individuals that submitted this was Paul Porter, former Alderman and former Assessor who did it on his own. So, if he can do it I'm sure they can do it and had we known some of this information which I truly believe it's the fiduciary responsibility of officers of this City to give us the information whether it's good or bad and I really believe that if all these facts are true we lost over \$3 million in what was reported in Paul Porter's report and I would like to see what the whole City (in the business district) also...would it have helped you in your budget, would it have helped us in our budget and if the revaluation company did an injustice then we have to correct it as we move along. So, I would ask them to do a report for the entire business community.

Mayor Guinta asked does anyone wish to make a motion to have them come in at the February 6th meeting.

Alderman Garrity so moved. Alderman Smith duly seconded the motion. There being none opposed, the motion carried.

Alderman Smith stated I was wondering where we stand with the property...the old Blacksmith Shop on Second Street. I was approached by Mr. Netch and I went back and looked back. It was passed by this Board back in August and it went through and I asked Mr. MacKenzie and I'd like to know what the status is because you well know the Blacksmith Shop is now down and it was vacant so he didn't have any fire insurance so he's paying \$78,000 on property that he can't do anything with and it's in a flood plain zone and we were suppose to buy it with the approval of the Parks and Recreation subject to environmental studies and that was done in early November. I'd like to know where we stand what are we going to do?

Mayor Guinta replied I actually just met with Mr. and Mrs. Netch today. We received the environmental study from the state actually this morning. They haven't had a chance to review it nor has City staff because we just received it today. At that point what we agreed to do once there's a review completed is to look at what potential funds would exist to move forward with a potential purchase and that should happen within the next month or so and they were pleased with that.

Alderman Smith asked can I refer to Alderman O'Neil because I think there's funds available...I could be wrong unless they've been misused.

Alderman O'Neil stated my understanding is there was some mitigation funds already identified for this property.

Mayor Guinta stated there are potential mitigation funds and that's what we are discussing.

Alderman O'Neil stated I thought we already acted on that, no.

Mayor Guinta asked when did the Board act on the SEPP funds...a couple of years ago. And, that has since been used or was that used for Crystal Lake. What was it used for?

Mr. MacKenzie stated they have not...they did extend the SEPP Program as I remember so there is a certain amount of money that has not been expended for land preservation.

Mayor Guinta asked could you research how much money then exists.

Alderman O'Neil stated my memory is we have committed the funds to do this. If funds were moved around that was without the blessing of the Board.

Mayor Guinta stated no, no. There were two areas...one was SEPP and one was somewhere else and the Board, at some point, took an action to move forward with some of those funds for another project.

Alderman O'Neil stated can't staff on the environmental reports...can't staff review those within the next couple of weeks.

Mayor Guinta stated they just came in from the state and it's a document this big and we just received it today. I haven't even had a chance to talk to Sean about it.

Alderman O'Neil stated my understanding in an e-mail I saw that it came back and it's a pretty clean site.

Mayor Guinta stated that was their first review but they were giving us a more complete recommendation or document which actually was just received today.

Alderman O'Neil stated I just want to go on the record...these people have been dragged out by the City for an awful long time and we need to bring...we need to resolve this issue. If eel bad for them...the fact that we in City government have dragged this out...that probably should have been under our control all ready in my opinion.

Mayor Guinta stated in the last six months though this has been moving very smoothly. I met with them in November or December and then again today.

Alderman O'Neil stated this goes back years, your Honor.

Mayor Guinta stated that I don't disagree with.

Alderman O'Neil stated this goes back years and I'm not saying that it hasn't moved recently but this situation with Mr. and Mrs. Netch goes back years and I think we have an obligation to bring some closer to this.

Alderman Forest stated seeing I'm the only one that's been opposing this project but I don't recall that we actually approved to buy that property. I think we tabled whatever our decision was to wait for a site assessment and I know Jane Beaulieu has come with material which I don't think I've ever seen but I know she's waving a letter around all the time about having but I don't recall this Board taking a vote on expending any City funds to buy that property so I think maybe the staff ought to research that.

Mayor Guinta stated I think Alderman Smith has the answer to your question.

Alderman Smith stated at the Committee on Lands and Buildings meeting on March 21, 2006...communication from Robert MacKenzie, Director of Planning, relative to Blacksmith Shop on Second Street...note was tabled 11/15/2005 pending further review of the CIP.

Planning recommends the City acquire parcel for parks purposes under the jurisdiction of Parks and Recreation. So, that was it and the funds were made available.

Alderman Forest stated yes they recommended but I don't think this full Board ever voted to expend and buy that property. So, I think maybe some research ought to be done on that. There were some SEPP funds that I remember that were supposedly put in there and then it was withdrawn and I know that Ms. Beaulieu came back to the Board wanting another \$300,000 or whatever it was in City funds and we were looking into that. I don't recall this Board voting to buy that property.

Mayor Guinta stated I think your recollection is right but we'll have it checked.

Alderman Smith stated I will give these papers and documents to Mr. MacKenzie...goes back to 2003 and you'll see the information in it. Thank you.

Alderman Lopez stated I just wanted to say the money was there. This whole Board voted twice because there was some confusion but I think Alderman Smith got the paperwork there and that should clear up the issue. But, the other thing I wanted to find out from you...the question I had was the City Assessor's should be involved so they can go over and make an evaluation of it so we don't delay it the next time it comes here...well we haven't been told to do an evaluation on the land. So, if they would get that report and go over and do an evaluation that would help.

Mayor Guinta stated they are going to be part of the City staff that does review the report.

Alderman O'Neil asked hasn't that already happened?

Mayor Guinta replied but it was quite some time ago so it wouldn't hurt to have another quick look.

Alderman Duval stated as you are well aware some of our conditions with city sidewalks in many of our wards have reached the point of significant deterioration and are causing hardship for property owners and as far as I'm concerned present a very significant issue for the City for many years to come. I've had some discussions with Planning Director MacKenzie and if he might just comment briefly on what the process might be so we can have an open exchange of dialogue with regard to the funding of sidewalk improvements in our City I would appreciate his input and then discuss it perhaps through the CIP process this year.

Mr. MacKenzie stated yes Alderman we did have a discussion. We have perhaps over the past year talked with a couple of agencies about coming up with criteria and more of an

evaluation of sidewalks. I think we've been put off a little bit by the possible cost of these but frankly there are a lot of sidewalks that are in very bad shape. So, I probably want to speak with Highway and perhaps Finance again about coming up with specific criteria and then getting a better gauge on what the total cost might be of going and doing a fairly major sidewalk program.

Alderman Duval stated I've also discussed with the Planning Director some possibilities of making it more feasible financially for residents to get financial assistance from the City should they be willing to participate in the 50/50 Program and I would like that pursued as well, Mr. MacKenzie, if we can through the CIP budget process.

Alderman Shea stated I'm not sure if we're going to allow everyone who's in the 50/50 Program. I know my constituents have paid for sidewalks and for curbing and I'm not sure exactly whether we're going to restrict this to a certain type of situation or will it be city-wide.

Mayor Guinta stated let's refer it to CIP. We don't need to debate it tonight.

Alderman Shea stated sometimes we do make suggestions at meetings and then some of us are kind of out in the cold when things come around and we have serious problems around Jewett Street where kids walk to school and we don't even get sidewalks there and we have drainage problems that I've been waiting for for five or six years to have. We'll open it up when CIP comes around.

Mayor Guinta stated Alderman Garrity will roll up his sleeves.

Alderman Shea stated I'm glad he will because it needs it.

On motion of Alderman Roy, duly seconded by Alderman Garrity, it was voted to recess the regular meeting to allow for a strategy session with the Chief Negotiator.

Mayor Guinta called the meeting back to order.

There being no further business to come before the Board, on motion of Alderman Duval, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

City Clerk